

February 17, 2000

DRAFT

TO: Federal- State Management Group

FROM: Mary Selkirk



SUBJECT: Outcomes of meeting on February 15, 2000

The following is a brief summary of discussions and actions taken at the February 15, 2000 meeting of the CALFED Federal-State Management Group

Updates/Comments

- *Announcements*

Jerry Johns reported that the SWRCB approved the Joint Point of Diversion permit for the U.S. Bureau of Reclamation that will be in effect from now until early or mid-April. This will result in an increased Delta outflow of approximately 144 TAF.

- *Comments on January 25 Meeting Outcomes*

Steve Macaulay emphasized that while DWR supports the concept of a long-term governance structure that utilizes a commission, the devil is in the details regarding exactly what "program management" means.

- *South Delta activities*

Kathy Kelly described recent DWR dredging and screening activities. She noted that DWR needs to start discussing cost sharing with USBR.

Environmental Water Acquisition Framework

Terry Mills provided an abbreviated briefing on the current status of work efforts to refine a framework for environmental water acquisition. He noted that consultants and CALFED met last week with Federal agencies to put together language for the ERP PSP and to coordinate with the CVPIA water acquisition program. The goal of this effort is to develop an integrated approach. He went on to note that the language of solicitation of interest would be an appendix to the PSP. He noted that there has been a lot of support from participating agencies.

Mary Scoonover cautioned that long-term purchases, or the expenditure of large amounts of money for short-term purchases, may be problematic under CEQA.

Patrick Wright added that he wants to make sure that this is coordinated with the current effort of the fisheries agencies on the state side to develop determinations of instream flow needs for all California streams. This group has been tasked with looking at what is

the optimal venue for identifying instream needs, and the means for attaining flows other than purchases.

Action: No action, information only.

ERP Focus Group: Presentation and Discussion

CALFED consultant Bruce DiGennaro gave a short presentation describing the ERP Focus Group and its current activities. He also presented a draft policy statement from the Focus Group that represented the group's consensus recommended actions to strengthen the ERP.

The primary recommendation the Focus Group made to the Management Group was that CALFED establish a single blueprint for ecosystem restoration that embodies both the goals and objectives of the ERP and the regulatory requirements identified in the Multi-Species Conservation Strategy (MSCS).

Mike Spear commented that the single blueprint must be written to comply with Federal and State law.

Ron Rempel stated his concerns about ensuring that the different terms of language used be clarified, e.g. the definition of "recovery. Jerry Johns reiterated that it is essential to preserve the primary goal of species recovery.

Recommendations proposed by the Focus Group included:

1. Define the scope of the blueprint
2. Commit to a critical review of the ERP
3. Commit to high-priority actions for Stage 1
4. Define processes/mechanisms for ensuring integration
5. Develop an Executive Summary for the ERP describing the blueprint
6. Ensure linkages to Recovery Plans.
7. Functionally integrate the ERP and the AFRP

Bruce DiGennaro also presented the Focus Group's preliminary proposals for guiding principles regarding ERP implementation, as follows:

1. Urgent species support
2. Preservation of functioning habitat
3. Restoration of degraded habitat

He noted that the Policy Group needs to provide direction on how much money should be expended for each of the above.

Further recommendations from the Focus Group included the following:

1. Develop/adopt guiding principles, as suggested above
2. Establish a clearly defined process that fosters integration
3. Describe/diagram this process in the EIS/R program documents.

Three key stakeholder members of the Focus Group made brief comments to the Management Group.

Steve Johnson of the Nature Conservancy state that the ERP, MSCS and all pertinent Recovery Plans have to be a single blueprint. He further stated that this was a "fall on our sword" issue. Pete Rhoads of the Metropolitan Water District concurred with Steve Johnson. He further stated that if CALFED does not establish a single blueprint, then opponents will pick and choose to undermine the ERP. He went on to say that it is in the water user community's interest to have an effective restoration program that's unified and that regulatory activities are integrated into it. Pete also stressed that the strong science in the ERP has to be adopted by the regulatory agencies, the monitoring program and MSCS.

Gary Bobker of the Bay Institute reminded the Management Group that the ERP is no complete. Specifically he stated that the final ERP documents have to spell out a plan for how the plan will be completed after the ROD, specifically the integration of ERP and regulatory activities.

Mike Spear commented that assurances are primary here: funding, governance, and adaptive management

Pete Rabbon agreed that a single blueprint was vital, but that it is the details that remain problematic,

Wendy Halverson-Martin stated that CALFED won't have a "magic solution" on integration by the time of the ROD, that what CALFED requires is the commitment by the agencies to develop a high level of integration.

Pete Rhoads stated that the Focus Group has not yet looked at the issue of integrating monitoring. He stated he was aware of agency discussions but there was no stakeholder input yet from the Focus Group.

Jim Lecky stated that NMFS wants to ensure that its Recovery Planning process for steelhead and chinook are reflected in the blueprint.

Mike Spear asked what the Focus Group needs from the regulatory agencies. Bruce DiGennaro responded that the Focus Group primarily needs continued commitment and participation of the agencies in the group.

Larry Smith urged the management Group to have a real discussion of what adaptive management really means. It is not the repository for everything that isn't agreed on scientifically. He urged a presentation to the Management Group on some examples of how adaptive management will be applied in the ERP.

Action: No specific next step was identified on this issue.

Gay Bobker concurred and stated that implementation of adaptive management has to be better described in the EIS/R.

Patrick Wright strongly urged the stakeholders to help CALFED nail these issues down by the ROD.

Action: No action, information only.

Integration of the MSCS with the FY 2001 Implementation Plan

Patrick Leonard presented a consensus document that described the priority MSCS actions identified by the fisheries agencies that needed to be reflected in the PSP for FY 2001. He acknowledged that the bullets still need to be made more specific. Ron Rempel commented that we have to identify the first three or four priorities, with specific examples of projects.

Next steps:

FY 2001 Implementation Plan

The FY 2001 implementation plan was presented last week to the Ecosystem Roundtable, which strongly endorsed the package. The FY 2001 implementation plan is focusing on the twelve scientific uncertainties and six ecosystem goals identified in the strategic plan. Wendy noted that this year CALFED is asking for a higher scientific standard for all proposals. All proposal applicants will be asked to provide their conceptual model, a hypothesis and the adaptive management context within which their proposal is nested. She went on to explain that all applicants will need to define whether the proposal is targeted research, a pilot program or a large-scale restoration project. Wendy also noted that the USBR will insert their scopes of work as well, and they will be subject to critical review.

She concluded her remarks by reminding the Management Group that they will have to take up the issue of proportionately funding the guiding principles: projects addressing emergent threatened species; projects funding efforts to preserve non-threatened species; and projects that call for restoration or rehabilitation of degraded habitats.

Action: No action, information only.

Preferred Program Alternative language

The Management Group discussed the options proposed for addressing the question of the Hood diversion in the Preferred Program Alternative. The group used as a reference a memo written by Mary Scoonover that outlined three options and their implications vis a vis completion of the final EIS/R. The three options discussed were first, to leave the language as it is currently written; treat potential construction of Hood diversion like the Peripheral Canal, i.e. as a potential eventuality that is not part of the Preferred Alternative; or eliminate the Hood diversion in the Preferred Alternative. Discussion ensued on each of these options. It was generally agreed that the third option was not tenable at this point.

Steve Ritchie stated that absent Federal/State concurrence, formal Policy Group approval of the Preferred Alternative would not be sought at the February 23rd meeting.

The Management Group also had a brief discussion of the recent request by CCWD and others to re-visit the proposal to move intakes into the central Delta. CALFED staff have been taking a second look at this proposal. Jim Lecky commented that NMFS was trying to ensure that Alternative 1 doesn't become Alternative 2.

Action: Steve directed Mary Scoonover to revise the memo to include only options 1 and 2. He requested that both the Federal and State agencies make a concerted effort to discuss and come to a final consensus on this issue as soon as possible.

Action: CALFED staff will provide a briefing on current reviews of the central Delta intake proposal at the next Management Group meeting on February 22nd.

Water Use Efficiency Program

Due to time constraints, the Water Use Efficiency Program briefing was re-scheduled for February 22nd.